

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re Circuit City Stores, Inc.

Case No. 08-35653-KRH

2009 JAN 22 AM 8:41

Debtor(s)

CLERK US DISTRICT COURT
TRANSMITTAL OF RECORD ON APPEAL TO DISTRICT COURT

Pursuant to 28 U.S.C. 158, Notice of Appeal was filed herein on December 19, 2008

The parties included in the Appeal to the District Court:

APPELLANT(S): Florida Power & Light Company, Potomac Electric Power Company,

Delmarva Power & Light Company, Atlantic City Electric Company,

Alabama Power Company, Central Maine Power Company and Baltimore Gas and Electric Co.

ATTORNEY: Kevin R. McCarthy, Esq.

8180 Greensboro Drive, Ste. 875

McLean, VA 22102

APPELLEE (S): Circuit City Stores, Inc., et al

ATTORNEY: Dion W. Hayes, Esq. (Local Counsel) Gregg M. Galardi, Esq.

One James Ctr, 901 E. Cary St. One Rodney Square

Richmond, VA 23219 Wilmington, DE 19899

Brief Description of Judgment/Order Appealed: Corrected Order under Bankruptcy Code Sect. 105(a), 363, and 366 and Bankruptcy Rule 6003 (I) Approving Debtors' Adequate Assurance of Payment (II) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment (Item #832 on docket)

Date Judgment/Order Entered: December 9, 2008

1. Filing Fees: A. Notice of Appeal - Filing Fee \$5.00 Paid Not Paid
- B. Appeal Docket Fee - \$250.00 Paid Not Paid Deferred. See attached Request
2. Notice of Appeal, Order/Judgment, True Copy Teste of Docket Record, and Designation(s) [if any]
3. No Designation of Record on Appeal filed (See Certification Below)
4. Copies of items designated by Appellant/Appellee have/have not been submitted pursuant to FRBP 8006 and LBR 8006-1.

WILLIAM C. REDDEN, Clerk of the Court

Date: January 22, 2009 By: Jennifer A. Jafarbay, Deputy Clerk

CERTIFICATION TO APPELLATE COURT

It is hereby certified that the designation of record required by Federal Rule of Bankruptcy Procedure 8006 and Local Bankruptcy Rule 8006-1 has not been filed within ten (10) days after the filing of the notice of appeal.

WILLIAM C. REDDEN, Clerk of the Court

By: Jennifer A. Jafarbay, Deputy Clerk

District Clerk - Please complete and return second copy.

DISTRICT COURT CASE NUMBER 3:09CV045 (JRS) 1/22/09

cc: Attorney for Appellant(s)
Attorney for Appellee(s)

{apptrans ver. 11/01/03}